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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,474	12/06/2000	Karl Lillevoid	REALNET.123A	9475
20995	7590	12/14/2004	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP			CHOOBIN, BARRY	
2040 MAIN STREET			ART UNIT	
FOURTEENTH FLOOR			PAPER NUMBER	
IRVINE, CA 92614			2625	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,474

Applicant(s)

LILLEVOLD, KARL

Examiner

Barry Choobin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-48 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 5-11 and 15-23 is/are allowed.
6) ☒ Claim(s) 1-4, 13-14, 24-48 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 22, 2004 has been entered.

Response to Arguments

2. Applicant's arguments filed November 22, 2004 have been fully considered but they are not persuasive.
3. Applicant argues that prior art does not teach or suggest the need or how to remove artifacts that are due to compression of video sequence (page 9 of the Remarks).
4. The Examiner disagrees. Simsic et al disclose above limitations as recited in previous office action in Fig.2.
5. Applicant argues that Simsic et al fails to teach or suggest providing a filter strength that is a function of motion activity within video sequence.
6. The Examiner disagrees. Simsic et al disclose above limitations in column 4, lines 52-65 (as presented previously in office action).

Furthermore, Applicant in page 9, second paragraph is relying on as to where is Simsic is directed. For example refers to an apparatus for filtering interlaced signals for

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presenting on a non-interlaced display device, and refers to different citation in Simsic to support it's position. The Examiner reminds the Applicant that none of the arguments, which were presented in page 9, paragraph 2 filed November 22, 2004, are recited in claims. Accordingly the Examiner still believes that prior art as presented meet the claim language.

Claims 1-11, 13-48 are pending.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4, 13-14 and 24-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simisic et al and in view of Cheung et al (US 6,178,205).

As to claim 1, Simisic et al disclose a decoder apparatus comprising:
a video decoder configured to decode a received encoded video sequence (Fig.1 element 60); and a filter module coupled to the video decoder and the output and configured to filter compression artifacts from a decoded video sequence received from the video decoder (fig.2, element 76).

However, Simisic et al is silent about a filter module having a variable filter strength that is a function of detected motion activity within the video sequence.

But on the other hand, Cheung et al disclose a video post filtering with motion compensated temporal filtering and/or spatial adaptive filtering comprising; a filter

module having a variable filter strength that is a function of detected motion activity within the video sequence (column 3, lines 40-61).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the filter module having a variable filter strength that is a function of detected motion activity within the video sequence as thought by Cheung et al with the system of Simisic et al in order to improve video image quality and are applicable to video image.

As to claim 2, Simisic et al disclose filter strength is adjustable to one of a predetermined number of levels (column 8, lines 7-33).

As to claim 3, Simisic et al disclose the filter strength is adjustable to one of a high level, a medium level and a weak level (column 4, lines 52-66).

As to claim 4, Simisic et al disclose the medium level is a default Level (column 9, lines 42-56).

Claim 13-14, and 24-48 are similarly analyzed and rejected as claim.

Allowable Subject Matter

9. Claims 5-11 and 15-23 are allowed.

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry Choobin whose telephone number is 703-306-5787. The examiner can normally be reached on M-F 7:30 AM to 18:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703-308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Barry Choobin', with a long horizontal flourish extending to the right.

Barry Choobin
December 10, 2004